

DEVER CASE BEGUN

Deputy Coroner and Doctors
Give Their Testimony.

The first stage of the case in court against Dr. Hugh J. DeVer for the manslaughter of Mrs. Josephine P. Hale, wife of Charles W. Hale of 58 Center street, through a criminal operation, took place in the city court to-day before Judge Peasley. The witnesses for the state were Coroner Makepeace, Medical Examiner Crane and Drs. Cooley and Anderson. The doctor was defended by Attorneys Bauby and Russell. His wife accompanied him to court.

The first witness was Medical Examiner Crane. The drift of his testimony was that he first saw Mrs. Hale on October 21 in consultation with Drs. Anderson and Cooley. What Mrs. Hale said on that occasion was ruled out. Five days later the doctor was present at an operation upon the young woman to offset, if possible, the operation she is said to have undergone in Dr. DeVer's office. On November 1 peritonitis had greatly developed. He saw her again about three hours before her death on November 14. After death had taken place he examined the body and found it greatly emaciated. It weighed about seventy pounds and certain organs were removed and preserved by the hospital pathologist.

Coroner Makepeace, the next witness, testified substantially as follows: He saw the woman on October 26 and spoke to her as to her hopes of living. On that date she spoke to Dr. Anderson and then she made her statement under oath. She did not die till November 14. She said she had no hopes of recovery, that she knew she was beyond human aid and that only a miracle of God would save her. She did not say this until after Dr. Anderson had told her there was no chance for her. He said: "You've been a brave little girl, but I fear there is no hope for your recovery." She then told the coroner she did not expect to live and she made her declaration, knowing that she was dying. The declaration, or rather as much of it as is publishable follows:

"I have sworn to you to tell the truth. I really believe I am dying. I have lost all hope of recovery except through a miracle of God. I am making this statement freely, without compulsion and in expectation of death. It is my solemn statement and it is the truth. I am clear in my mind and know what I am saying, and it is true. My name is Josephine Hale and I live at 58 Center street, Waterbury. I am twenty-four years of age. I went to the office of Dr. Hugh DeVer at about 3 o'clock in the afternoon of October 14, 1907. I went alone. He told me he could get me out of it with perfect safety, that it would cost me \$25 cash, that he would do it any time when I brought the money. We made an appointment for Thursday, but instead I went Wednesday afternoon, October 16, 1907. I was alone." (Here follows her description of the operation.) "I had several severe cramps and he told me there was no danger, that I could do my regular work or go to a dance. I paid him \$25 and left. I was not in his office more than twenty minutes. I saw Dr. DeVer for the first time when I first went to his office. He is a big, pompous looking man with no whiskers. I told my husband before I went the first time and after I came back.

MRS. CHARLES HALE.
Some time after taking the woman's alleged dying declaration the coroner and Dr. Anderson went to Dr. DeVer's office, found some instruments there and took them away. It was Dr. Cooley who sent the first information about the case to the coroner. When he got to the house Miss Fitzgerald, a nurse, and Drs. Cooley and Anderson were there and he had Mrs. Hale withdrawn from the room as they did not wish to discuss the details of the matter in her presence.

Attorney Russell had the coroner admit that the alleged dying declaration of Mrs. Hale was written partly in his office and partly in her apartments and was made up from the answer she made to his questions. The words used in the document are not her's but are substantially so. After the declaration was drawn up the coroner administered to her the oath of telling the truth and she swore to it. Her answers were clear and lucid, he said. Mrs. Hale told him how she found Dr. DeVer when she first called there and he said that she told him he was dressed in the uniform of a fraternal society. She was positive that she used the words "except through a miracle of God." She did not say that she knew she was dying until after she was so informed by Dr. Anderson, and even then she did not express any wish to see her children or her husband or where to be buried, or why she should expect to die, or what should cause her impending dissolution.

The coroner admitted that he was as brief as possible in taking the woman's declaration because he knew an operation was immediately necessary, yet, he proposed to get a complete and valid statement from her.

To the defence Dr. Anderson stated that at the time of the first consultation at Mrs. Hale's home her husband and her mother were present and the husband broke down and had to leave the room. He did not say anything, but just left the room. This testimony was ruled out, as it was held to be irrelevant. The talk in the room was about the reason or necessity of sending Mrs. Hale to the Waterbury hospital. Dr. Anderson told Mrs. Hale that she might die on the operating table at the hospital. Mrs. Hale talked the matter over with her husband and they decided to take the chance. The operation was held on Wednesday evening in the hospital about 8:30. Mrs. Hale came out of the operation very well, that is, she was no worse, than before, though her heart had to be stimulated during it. Next morning she seemed clear in mind and asked the doctor if she would live. He told her she could give her promise. Mrs. Hale consulted with

THE SUPERIOR COURT

Two Divorces Granted By Judge
Curtis To-Day.

At short calendar in the superior court to-day Judge Curtis allowed judgment to Robert A. Cairns for \$2,483.13 against Harry Reppen, alias Harry Rippen. Law day, the first Monday in February.

In the suit of Miles McNiff against the city to be restored to his position on the police force additional reason for appealing from the decision of the board of safety in dismissing him was filed in one week. The additional reasons are that the plaintiff had a vested right in the reserve fund or police pension fund at the time of the action of the board of safety and by said action was deprived of the benefit of that fund.

Judgment for \$1,259 with interest was given M. J. Daly & Sons, Incorporated, against the L. J. Coburn Land and Lumber company.

A motion for alimony pending the trial of the divorce suit of Rachel Atwood against Stiles Atwood was denied.

A bond of \$50 was ordered in the suit of Angelo Morelli against the Noera Manufacturing company.

Two divorces were granted, one to Charles B. Loughrain from Margaret Loughrain and one to Elizabeth Martel from Magorique Martel. The first was allowed on the allegation of habitual intemperance. A number of policemen testified to having seen the defendant on the streets repeatedly in a state of intoxication and once or twice she was arrested. Her maiden name was Murphy. Desertion was the ground on which a decree was allowed in the other case.

Universalist Services.

Rev. W. F. Dickerman, state superintendent of Universalist churches, will preach in the Buckingham building to-morrow at 3 p. m. Subject of sermon, "Our Thought of God, and Its Bearing on Human Life." Public cordially invited. Entrance to hall, 11 Cottage place.

Dr. Anderson before she went to Dr. DeVer.

Dr. Crane was recalled to the stand and he produced two long shaped slender instruments with a sharp bend at the end. He said that after Dr. DeVer was arrested he and the coroner Lieutenant Dodds went to his office and searched the place and they found the instruments in evidence. He did not know their use, and he never saw their like before. But there are thousands of instruments used in the profession, he said, which he has never seen. A lot of other instruments he saw in Dr. DeVer's office were not disturbed. He also found a large bottle containing probably 1,000 pills, which he said, could be used for the purposes charged against the accused. Mrs. DeVer made no objection to the office being searched. She was quite civil, in fact. This evidence was objected to on the grounds that it did not tend to prove anything, but it was admitted. This closed the case for the state.

THE MONEY QUESTION

One Who Thinks Much of It Goes
For Amusement.

It is strange how widely good citizens differ from each other on questions which one would think all would see from the same standpoint. To-day two merchants were talking about the money question, when one remarked that he didn't think it would amount to much, anyway, and expressed the hope that it would blow over without causing any suffering. This didn't appeal very strongly to the other gentleman, and he pitched right into his neighbor without gloves, telling him that this is the kind of talk that is raising Cain with everybody. "What can you expect," he exclaimed, "when a man will mortgage his home and put the equity he had in it into an automobile? Isn't it a fact that you can't get anybody to occupy a house now unless it is equipped with all modern improvements? Isn't it so that the theaters have such a patronage it will soon be necessary to build another? Do you see anybody putting by a dollar or willing to make the slightest sacrifice to provide for a dull season?" The man kept on in this strain until he said so much one would think everybody in town was crazy, and that is about what he meant. He wanted people to save a little right along. This is all right, but this kind of saving is almost out of the question with working people. How is a man going to save? If he does not eat enough he will soon die, and if he neglects to clothe himself he will not live long either. Talking about paying big money for rents, what else can a family do so long as there is no other kind in the market. Any house built these times commands from \$15 to \$30 a month rent for each tenement. Whose fault is this? Certainly the tenant didn't prepare the plans so that if the owner has to get a high figure in order to make it pay the blame rests on his own shoulders, and not upon the man who comes along to rent it after it is ready for occupancy. Looking at it this way, and it is the proper way to view the matter, it is the landlord and not the tenant that should be called down for the high rent question.

DeWitt's Little Early Risers are the best pills. Sold by the Buckingham pharmacy.

Arizona Bank Dropped.

Globe, Ariz., Nov. 22.—The First National bank of this city, with deposits of \$750,000, was dropped from the Globe clearing house association last night and will not open to-day. This leaves no national bank in operation here, the Globe National bank having closed three weeks ago. The heavy drawing of exchange since the Globe National suspended is believed to be the cause of the suspension. National Bank Examiner J. H. Page took charge of the bank.

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